

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: SOCIAL SERVICES - INCLUDING COUNTRYSIDE ADULT HOME

DATE: FEBRUARY 26, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS PITKIN
KENNY
BENTLEY
MERLINO
STRAINER
LOEB
MCDEVITT

OTHERS PRESENT:

REPRESENTING THE DEPARTMENT OF SOCIAL SERVICES:
SHEILA WEAVER, COMMISSIONER
KATHY BAKER, FISCAL MANAGER
REPRESENTING COUNTRYSIDE ADULT HOME:
BRENDA BROWN-HAYES, DIRECTOR
AMY MCBYRNE
FREDERICK MONROE, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE &
FISCAL SERVICES
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS MCCOY
SOKOL
STEC
TAYLOR
THOMAS
SKIP STRANAHAN, WE THE PEOPLE FOUNDATION
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *THE ADIRONDACK JOURNAL*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Pitkin called the meeting of the Social Services Committee to order at 11:30 a.m.

Motion was made by Mr. Kenny, seconded by Mr. Strainer and carried unanimously to approve the minutes from the January 22, 2010 Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Sheila Weaver, Commissioner of the Department of Social Services (DSS), who distributed copies of the meeting agenda, a copy of which is also on file with the minutes.

Ms. Weaver began with a review of Item 1, referring to the Overtime Report which was included in the agenda packet. She advised that although the overtime use over the past pay period was higher than normal, they continued to reduce overtime costs. Ms. Weaver noted that the average amount of overtime used per pay period this far in 2010 was 49.24 hours, as compared to the average of 98.7 hours for 2009. She apprised that the increased overtime usage over the past pay period for on-call, after hours and foster care services were higher due to decreases in staffing.

Continuing to Agenda Item 2, Ms. Weaver addressed the Budget Status Report which included both Expense and Revenue Budget Performance Reports for all of 2009 and January of 2010; *copies of these Reports are on file with the minutes*. During the review of the Reports, Ms. Weaver pointed out that 91% of the 2009 Budget had been expended, while 95% of anticipated revenues had been received; however, she added, they were still expecting more revenues from the State. In response to Mr. Pitkin's question as to when the 2009 Budget would be closed, Kathy Baker, Fiscal Manager, replied that this would not be done until direction was given by the Treasurer's Office to do

so. Referring to 2010 expenses, Ms. Weaver advised that the expenditures thus far were on target with no unexpected expenses thus far. She noted that they were anticipating an increase in Temporary Assistance costs based on the State's indication that demand for services had grown by 7%, which was not accounted for when the budget was developed.

Ms. Weaver advised that Agenda Item 3 consisted of a number of requests to authorize travel for her staff to attend State mandated training, which she outlined as follows:

1. Lisa Zulauf to attend Welfare Fraud Investigator Training at the NY State Police Academy in Albany, NY on May 17th - 21st, 2010;
2. Michael Rayder to attend Child Protective Services Response Training in Rochester, NY on March 22nd - 26th, 2010 and April 5th - 9th, 2010;
3. Laurel Johnson to attend Child Support 101 training in Albany, NY on April 6th - 8th, 2010;
4. The new Preventive Caseworker and Foster Care Caseworker to attend Child Welfare/Child Protective Services Common Core training in Albany, NY on April 13th - 16th, 2010; April 26th - 30th, 2010; May 11th - 14th, 2010 and May 24th - 27th, 2010;
5. Andrea Corbin to attend Child Protective Services Response Training in Albany, NY on May 10th - 14th, 2010 and May 24th - 28th, 2010.

Motion was made by Mr. Kenny, seconded by Mr. Merlino and carried unanimously to approve all five of the aforementioned travel requests. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

Moving on to Agenda Item 4, Ms. Weaver presented a request to amend the 2010 County Budget in the amount of \$284,851 to increase appropriations and revenues to reflect the receipt of unanticipated revenues in connection with the Homeless Prevention Rehousing Project (HPRP). She advised that the funding was being received as a result of the grant application submitted by WAIT (Welcoming Adolescents in Transition) House on behalf of the County and that the amount was comprised of 100% Federal funding. Ms. Weaver explained that adding this revenue to the Social Services Budget would allow them to make timely payments to eligible recipients in connection with the HPRP program.

Motion was made by Mr. McDevitt, seconded by Mr. Kenny and carried unanimously to approve the request to amend the 2010 Budget as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Ms. Weaver announced that Agenda Item 5 pertained to a request to rescind Resolution No. 856 of 2009 which amended previous Resolution No. 113 of 1972 to increase the amount of the Patient Fund at the Countryside Adult Home from \$600 to \$2,000. She noted that she and Brenda Brown-Hayes, Director of the Countryside Adult Home, had come to an agreement that the fund amount should be returned to its original amount; therefore, she said, this request could be disregarded. Joan Sady, Clerk of the Board, interjected that because a resolution had been approved by the Board of Supervisors to increase the amount of the Fund, a rescinding resolution would be necessary to restore the previous limits. Furthermore, she noted that Resolution No. 70 of 2010 had been introduced to lower the Fund limit from \$2,000 to \$1,000 but that resolution was tabled at the February 19th Board meeting.

Subsequent to a brief explanatory discussion on the matter, motion was made by Mr. Bentley, seconded by Mr. McDevitt and carried unanimously to rescind Resolution No. 856 of 2009, thereby restoring the Patient Fund limits to \$600, and the necessary resolution was authorized for the March 19th Board meeting. *A copy of the request is on file with the minutes.*

Agenda Item 6, Ms. Weaver explained, consisted of clarification on position changes and the resulting costs savings for 2009 and 2010. She distributed charts to the Committee members which reflected the organizational breakdown of the DSS before and after the reorganization process, as well as a spreadsheet detailing position salaries and rates of State and Federal reimbursement, which she proceeded to review for the Committee's benefit; *copies of these documents are on file with the minutes*. Ms. Weaver stated that the reorganization had led to a total salary reduction of \$103,012 and a \$30,831 savings in Local Share costs to the County. Referring to the organizational charts provided, she pointed out that the chart with positions highlighted in yellow reflected those that were abolished, while the second chart with blue highlights portrayed those that were created in the Departmental reorganization.

Mr. Bentley questioned whether there were less staff members working in the DSS after the reorganization and Ms. Weaver replied in the negative, noting that the number was approximately the same.

Discussion ensued.

Resuming the agenda review, Ms. Weaver addressed Item 7 which consisted of a request to abolish a Caseworker position in the Adult Protective Services Unit effective March 27th. She said that the position elimination was part of the reorganization plan but they had been waiting for the employee occupying the position to retire before taking steps to abolish it. Ms. Weaver pointed out that the salary associated with the position was \$39,420, of which the County funded a Local Share of \$9,855.

Motion was made by Mr. Kenny and seconded by Mr. Stainer to approve the request to abolish the Caseworker position as outlined above.

Mr. Strainer questioned why the position would be abolished if the cost to the County was minimal and Ms. Weaver replied that regardless of the level of State and Federal reimbursement received, the position was unnecessary and she felt it should be eliminated. Mr. Strainer responded that he would prefer to see positions abolished that received lesser reimbursement levels and Mr. Kenny noted that it would be very difficult to eliminate positions based on this criteria in light of State mandates and the ever changing public demand for services. Ms. Weaver apprised that while awaiting the retirement date of the employee currently filling the position, she had reviewed the caseload handled and noted that it had not increased in any way, leading to her final determination that the position was unnecessary. Chairman Monroe interjected his agreement that if the position was not essential to the Department, it should be abolished regardless of cost to the County.

Mr. Pitkin called the question and the motion was carried unanimously to abolish the Caseworker position and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Ms. Weaver stated that Agenda Item 8 included a request to fill a Grade 7 Senior Account Clerk position with a base salary of \$28,532 which received 75% State and Federal reimbursement. She apprised that the position was being vacated due to termination as the employee was not successful during the associated probationary period. Ms. Weaver noted that the position was essential in order to maintain timely claims processing services.

Motion was made by Mr. Bentley, seconded by Mr. Strainer and carried unanimously to approve the request to fill the vacant position of Senior Account Clerk, base salary of \$28,532, and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Moving on to Agenda Item 9, Ms. Weaver presented a request to fill a Grade 8 Social Welfare Examiner position with a base salary of \$29,710 which received 78% reimbursement, due to resignation. She explained that this was

a position associated with a mandated program in the Employment Division which she would be moving to the Food Stamp Division in order to address the increasing food stamp eligibility determination caseload. Ms. Weaver advised that although staffing levels had remained the same, food stamp application submissions had increased by 15% and they had recently begun using an electronic application system that her staff was unfamiliar with, which slowed the application process, as well.

Motion was made by Mr. McDevitt, seconded by Mr. Merlino and carried unanimously to approve the request to fill the vacant position of Social Welfare Examiner, base salary of \$29,710, and to move the position from the Employment Division, Code A.6010 Department No. 40.11, to the Food Stamp Division, Code A.6010 Department No. 40.06, thereby amending the Departmental Table of Organization, and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Ms. Weaver apprised that Agenda Item 10 included a request to fill a Grade 3 Keyboard Specialist position with a base salary of \$23,799 which received 50% State and Federal reimbursement. She explained that the vacancy was created due to termination when the previous employee failed to rank within the top three highest scores for the associated Civil Service testing.

Motion was made by Mr. Kenny, seconded by Mr. McDevitt and carried unanimously to approve the request to fill the Keyboard Specialist position, base salary of \$23,799, and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Concluding the agenda review, Ms. Weaver presented a request to amend Resolution No. 97 of 2010 to correct the position title listed therein. She explained that she had mistakenly requested permission to fill a Grade 4 Intake Clerk position in Code A.6010 Department No. 40.06 when she should have requested permission to fill a Grade 5 Senior Resource Clerk position in Code A.6010 Department No. 40.00. Ms. Weaver noted that the base salary for the Senior Resource Clerk position was \$25,916.

Motion was made by Mr. Strainer, seconded by Mr. Bentley and carried unanimously to approve the request to amend Resolution No. 97 of 2010 as outlined above and the necessary resolution was authorized for the March 19th Board meeting. *A copy of the request is on file with the minutes.*

Ms. Weaver apprised that she had two additional items to present which were not included on the meeting agenda, the first of which pertained to the inclusion of the Youth Bureau within the realm of the Social Services Department. She said that subsequent to the submission of the proper paperwork to the State to validate the actions taken, she had received a return email indicating that the State had received the merger proposal submitted, as well as the updated organizational chart, but did not feel that the actions were technically considered a merger. Ms. Weaver noted that the email went on to indicate that operations could be reorganized to allow Youth Bureau business to come before the Social Services Committee, but this was not considered a matter that needed to be decided upon by the State. Mr. Pitkin clarified that the changes could be made on an in-house basis without State approval and Ms. Weaver advised that this was a correct assessment. Mr. Pitkin then questioned whether a resolution was required to further these changes and Mrs. Sady replied in the negative.

Continuing, Ms. Weaver advised that her final item of business pertained to the newly developed "Warren County Department of Social Services Administrative Policy and Procedure" pertaining to the placement of sex offenders and families, a copy of which was included in the agenda; *a copy of the Policy and Procedure document is also on file with the minutes.* She noted that the Policy had been written subsequent to the publication of an article in *The Post*

Star newspaper which indicated that there were 14 registered sex offenders residing in a local hotel that the DSS routinely used to place homeless families seeking public assistance.

As the hotel in question was located in the Town of Queensbury, Mr. McDevitt asked if the Town planned to take action aimed at alleviating these issues and Mr. Stec replied affirmatively, noting that they were considering local legislation similar to what was being proposed in the Town of Lake Luzerne. Mr. Stec said he applauded and thanked Mr. Merlino for his efforts in introducing the legislation which would limit the number of sex offenders that could stay in any hotel or motel and would require facility owners to register with the Town, pay a \$3,000 fee and post notices visible to other patrons notifying them of the facility's inhabitants. He further explained that the legislation included the use of a point system which allowed a total of three points per facility and counted one point for Level 1, two points for Level 2 and three points for Level 3 sex offenders. Mr. Stec said that he was concerned for visitors to the area who could be unknowingly seeking accommodations at hotels housing sex offenders which could potentially cause a threat to their families. He apprised that the law being adopted by the Town of Lake Luzerne was modeled after one which had been successfully in effect for over a year in the Town of Colonie and would provide full disclosure measures for both visitors to the area, as well as to the Town.

Mr. Pitkin questioned where the sex offenders would be housed if every town passed similar legislation and Mr. Merlino responded that these laws would not stop sex offenders from being housed in local hotels, it would simply limit the concentration in any given location and would notify both the town and other potential patrons where they were residing. Mr. Merlino went on to note that there were no limitations on the placement of State regulated offenders who could be placed in any town within the State of New York.

Chairman Monroe noted that a \$3,000 fee would discourage hotel/motel owners from allowing sex offenders to stay in their facilities and if all the towns in the State adopted such regulations he doubted the laws would hold up in Court. Mr. Merlino responded that the law had proved successful in the Town of Colonie as there were some facilities which allowed housing of sex offenders and were willing to post notice regarding the inhabitants.

Discussion ensued with respect to the matter.

Returning to a review of the Policy and Procedure document, Mr. McDevitt pointed out that item 2 under the Procedure section indicated that homeless families seeking assistance would not be placed at any facility where they had knowingly placed sexual offenders, unless there were no other options available. Ms. Weaver advised that this point had been included as during the summer racing season it was sometimes difficult to secure lodging for any party seeking assistance. Mr. McDevitt responded that he felt the County would be leaving itself open to liability issues if this clause remained within the policy based on the fact that in some instances they might be knowingly housing children and single women in the same facilities as registered sex offenders.

Mr. Kenny stated that he was vehemently opposed to the inclusion of item 2 in the Policy, as under no circumstances should a child be housed in the same facility as a registered sex offender. As an alternative, he suggested seeking out housing for homeless families in Saratoga or Washington Counties when these instances arose. Ms. Weaver replied that they were required to provide transportation services for these families for work related activities which would lead to higher costs if they were housed outside of Warren County. Mr. Kenny countered that he would much prefer to incur additional costs in these rare cases, rather than risk the possible abuse of a child by housing them in a facility with sex offenders.

Mr. Stec questioned how many sex offenders were currently receiving housing benefits from the County and Ms.

Weaver replied that there were six. Mr. Stec then asked how the number had decreased from the 14 reported in *The Post Star* so quickly and Ms. Weaver responded that the majority of the offenders were being housed by other Counties.

Subsequent to further discussion on the matter, it was the consensus of the Committee that Ms. Weaver should revise the Policy and Procedure to remove verbiage indicating that homeless families would be placed in facilities where sex offenders were housed and present the revised document at the next Committee meeting.

As there was no further DSS business to discuss, privilege of the floor was extended to Brenda Brown-Hayes, Director of Countryside Adult Home, to begin the Countryside portion of the Committee meeting. Mrs. Hayes distributed copies of the agenda to the Committee members, a copy of which is also on file with the minutes.

Ms. Hayes pointed out that the first issue listed on the agenda was a pending item referring to the Patient Fund which had been addressed earlier in the meeting by Ms. Weaver. Continuing, she presented a request to authorize travel for Bonnie Farmer to attend the ServSafe Food Safety Certification course being held at Adirondack Community College on March 13, 2010. Mrs. Hayes noted that the total cost of the course was \$194, which included tuition and materials, and the necessary funding was available within the Departmental budget.

Motion was made by Mr. Strainer, seconded by Mr. Bentley and carried unanimously to approve the travel request as outlined above. *A copy of the Authorization to attend Meeting or Convention form is on file with the minutes.*

The next agenda item consisted of a request to abolish a part-time Laundry Worker position, Mrs. Hayes stated. She explained that this position was funded through the Countryside budget, but actually worked at the Westmount Health Facility to provide laundry services. Mrs. Hayes further explained that an employee would not actually be eliminated, but rather they were attempting to eliminate the part-time position in order to use the associated salary to fund a contract for laundry services.

Mr. Kenny questioned whether the County Attorney should be consulted before taking this action and Ms. Weaver replied in the negative, noting that the same person would be doing the work, they would simply be funding to work through a contract, rather than a part-time salary.

Motion was made by Mr. Bentley, seconded by Mr. McDevitt and carried unanimously to approve the request to abolish a part-time Laundry Worker position and refer same to the Personnel Committee. *A copy of the request is on file with the minutes. (Note: Subsequent to the meeting Mrs. Hayes rescinded the request to abolish the part-time Laundry Worker position as it had been determined that the issue would be addressed using a transfer of funds for the time being with the personnel changes to be made during the 2011 Budget process.)*

Mrs. Hayes apprised that they had recently terminated a part-time Cook at Countryside and had been paying a full-time Food Service Helper out-of-title for 30% of his work time to provide the necessary services for the Cook position. In order to rectify this situation, she said she was presenting a request to abolish the full-time Grade 2 Food Service Helper position, base salary of \$29,266, and create a Grade 4 full-time Cook position. Mrs. Hayes noted that the base salary and longevity for the Cook position would be \$31,065, which was an increase of about \$1,000 annually.

Motion was made by Mr. Kenny, seconded by Mr. Bentley and carried unanimously to approve both the request to abolish the part-time Food Service Helper position and to create the full-time Cook position, as outlined above, and

refer same to the Personnel Committee. *Copies of both requests are on file with the minutes.*

As there was no further business to come before the Committee, on motion made by Mr. Bentley and seconded by Mr. Kenny, Mr. Pitkin adjourned the meeting at 12:47 p.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist